

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

***APPLIES TO ALL CASES***

**Case No. 1:17-MD-2804**

**Hon. Dan A. Polster**

**FACT SHEET  
IMPLEMENTATION ORDER**

In accordance with CMO 1, this Order governs the form and service of Plaintiff and Defendant Fact Sheets in this MDL.

1. For all non-Track One trial cases, Plaintiffs that are Governmental Entities shall provide a completed Plaintiff Fact Sheet (“PFS”) in each case in the form attached as Exhibit A pursuant to the following schedule: (a) within 90 days from the date of this Order for any Plaintiff whose case has been docketed in this MDL on or before the date of this Order; or (b) within 90 days from the date the case is docketed in this MDL for any Plaintiff whose case is docketed after the date of this Order.
2. Only Plaintiffs that are Governmental Entities (e.g., Cities, Towns, Counties) shall complete a PFS. Other entities (e.g., Hospitals, Third-Party-Payors) do not need to complete a PFS.
3. A complete PFS shall be served on Liaison Counsel via email.
4. Defendants<sup>1</sup> not named in a Track One trial case shall provide a completed Defendant Fact Sheet (“DFS”), attached as Exhibit B, within 90 days from the date of this Order or 90 days after proper service, whichever is later.
5. Completed DFSs shall be served on Plaintiffs’ Liaison Counsel via email.
6. Deficiency Letter.
  - a. If a Defendant or Plaintiff disputes the sufficiency of any response(s) in a PFS/DFS, Counsel shall notify Opposing Counsel of record of the purported deficiencies in writing via email and allow such Party an additional 21 days to correct the alleged deficiency.

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<sup>1</sup> For purposes of this requirement, a “Defendant” shall include the entire Defendant Family, which consists of all corporate affiliates that are named as a Defendant in any action that is part of this MDL. A Defendant Family may complete one DFS.

- b. If a party does not respond to a deficiency letter within 21 days, the party or parties who sent the deficiency letter may move for an order to Show Cause why the Court should not take appropriate action, up to and including dismissal of claims or striking of defenses.

**IT IS SO ORDERED.**

*/s/ Dan Aaron Polster*  
**DAN AARON POLSTER**  
**UNITED STATES DISTRICT JUDGE**

**Dated: June 19, 2018**